

REMARKS

Claims 1 – 20 were pending in the application. Claims 1 and 10 have been amended. Claims 1 - 20 are presented for a first substantive examination on the merits.

In the outstanding Office Action, claims 1 – 20 were subjected to an election of species requirement.

By this Response to Election of Species Requirement, the specification has been amended for clarity on pages 4 and 5 by adding --One side of-- before “Each” and by adding --counter-- after “inter-digital pixel;” claims 1 and 10 are amended for clarity by adding the word --counter-- after “inter-digital pixel;” and an election with traverse, is made.

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 37 U.S.C. § 132.

Election of Species Requirement Summary

The Examiner has required election of one of three species: embodiment 1, embodiment 2, and embodiment 3, and identification of the claims reading thereon. The Examiner asserts that species 1, 2, and 3 are patentably distinct species as depicted in Figures 2, 4, and 5, respectively.

Response

Applicant respectfully traverses the Examiner’s election of species requirement.

Applicant provisionally elects to continue prosecution of Species 1, Figure 2. Applicant asserts that claims 1 - 3, 5, 6, 10 - 13, 15, 16, and 18 read on Figure 2. However, Applicant's assertion in no way is an indication of intent to limit the elected claims to the embodiment depicted in Figure 2.

Traversal

Applicant respectfully traverses the species requirement because there is only one invention disclosed in the present application.

In particular, the present application discloses a liquid crystal display (LCD) panel having a planar insulation layer, a counter electrode and a pixel electrode. The common feature of Figures 2, 4, and 5 is that the contact holes of the counter electrode and the pixel electrode are made of a transparent conductive material and on the same the side of the pixel region, such that the aperture ratio of the LCD panel is efficiently increased, and that the interaction between the electrodes is decreased. See for example, page 9, paragraphs beginning on lines 16 and 26, and page 11, paragraph beginning on line 15. Further, the only difference between Figures 2 and 4, and Figure 5 is that the counter electrode 6 does not overlap the data line in Figures 2 and 4, while the counter electrode 6 overlaps the data line in Figure 5.

Thus, Applicant believes that the appearances of the liquid crystal display (LCD) panels in Figures 2, 4, and 5 are derived from the same generic concept. The difference among Figures 2, 4, and 5 is the shapes of the counter electrode and the pixel electrode (zigzag, linear). Besides, Figures

2, 4, and 5 respectively show different embodiments according to the present application under the similar character. Accordingly, the present application has generic claims, claims 1 and 10.

Therefore, Applicant asserts that the claims that read on Figures 4 and 5 do not belong to a different species separate and distinct from the claims that read on Figure 2.

The Examiner has indicated that no claims are generic. However, Applicant asserts that independent claims 1 and 10 are generic and clearly indicate the common features in all the embodiments of the claimed invention. Claim 10 merely recites similar features in claim 1 in a different manner. As such, claims 1 and 10 must encompass all three species. Furthermore, the Examiner's search of independent claims 1 and 10 encompasses searching all three species.

Therefore, Applicant asserts that claims 1 and 10 are generic.

Applicant respectfully submits that the requirement to elect species 1, 2, or 3 is improper. Applicant respectfully requests that claims 1 - 20 be examined together.

In view of the foregoing, Applicant respectfully requests that the Examiner to reconsider and withdraw the election of species requirement.

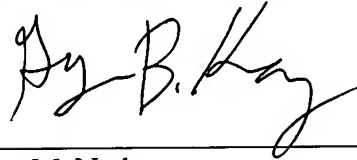
CONCLUSION

In light of the foregoing, Applicant respectfully requests the Examiner to conduct a first substantive examination of the application. If the Examiner has any questions or comments

regarding this matter, he is welcomed to contact the undersigned attorney at the below-listed number and address.

Respectfully submitted,

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